



**Senate Bill No. 704**

**Public Act No. 08-53**

***AN ACT CONCERNING THE RELEASE, SALE AND ACCURACY  
OF CONVICTION INFORMATION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (h) of section 31-51i of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective May 1, 2008*):

(h) (1) For the purposes of this subsection: (A) "Consumer reporting agency" means any person who regularly engages, in whole or in part, in the practice of assembling or preparing consumer reports for a fee, which reports compile and report items of information on consumers that are matters of public record and are likely to have an adverse effect on a consumer's ability to obtain employment, but does not include any public agency; (B) "consumer report" means any written, oral or other communication of information bearing on an individual's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics or mode of living; and (C) "criminal matters of public record" means information obtained from the Judicial Department relating to arrests, indictments, convictions, [erased records, pardons and] outstanding judgments, and any other conviction information, as defined in section 54-142g.

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(2) Each consumer reporting agency that issues a consumer report that is used or is expected to be used for employment purposes and that includes in such report criminal matters of public record concerning the consumer shall:

(A) At the time the consumer reporting agency issues such consumer report to a person other than the consumer who is the subject of the report, provide the consumer who is the subject of the consumer report (i) notice that the consumer reporting agency is reporting criminal matters of public record, and (ii) the name and address of the person to whom such consumer report is being issued;

[(B) Access the conviction information available to the public on the Internet web site of the Judicial Department to verify, as of the date the consumer report is issued, the accuracy of any criminal matters of public record contained in the consumer report;]

[(C)] [(B) Maintain procedures designed to ensure that any criminal matter of public record reported is complete and up-to-date as of the date the consumer report is issued, which procedures shall, at a minimum, conform to the requirements set forth in section 2 of this act.

(3) This subsection shall not apply in the case of an agency or department of the United States government seeking to obtain and use a consumer report for employment purposes if the head of the agency or department makes a written finding pursuant to 15 USC 1681b(b)(4)(A).

Sec. 2. (NEW) (*Effective May 1, 2008*) (a) Notwithstanding the provisions of subsection (e) of section 54-142a of the general statutes and section 54-142c of the general statutes, with respect to any person, including, but not limited to, a consumer reporting agency as defined in subsection (h) of section 31-51i of the 2008 supplement to the general statutes, as amended by this act, who purchases criminal matters of

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public record, as defined in said subsection (h), from the Judicial Department, the department shall make available to such person information concerning such criminal matters of public record that have been erased pursuant to section 54-142a of the general statutes. Such information may include docket numbers or other information that permits the person to identify and permanently delete records that have been erased pursuant to section 54-142a of the general statutes.

(b) Each person, including, but not limited to, a consumer reporting agency, that has purchased records of criminal matters of public record from the Judicial Department shall, prior to disclosing such records, (1) purchase from the Judicial Department, on a monthly basis or on such other schedule as the Judicial Department may establish, any updated criminal matters of public record or information available for the purpose of complying with this section, and (2) update its records of criminal matters of public record to permanently delete such erased records. Such person shall not further disclose such erased records.

Approved April 29, 2008